

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUGLAS SHARP,

Defendant.

MEMORANDUM ORDER

Case No. 1:06-CR-25TC

Defendant Douglas Sharp has filed a Motion to Dismiss arguing that he was not convicted of the predicate felony under Idaho state law. Resolution of this motion requires certification of a question of state law to the Idaho Supreme Court. The court finds that the ends of justice served by the continuance outweigh the best interest of the public and defendants in a speedy trial. 18 U.S.C. § 3161(8)(A). Therefore, the court orders that the time necessary for adequate resolution of this issue shall be excluded under the Speedy Trial Act. See 18 U.S.C. § 3161(h)(1)(F) (“The following periods of delay shall be excluded in computing the time within which an information or an indictment must be filed, or in computing the time within which the trial of any such offense must commence: (1) Any period of delay resulting from other proceedings concerning the defendant, including but not limited to . . . (F) delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing on, or other prompt disposition of, such motion . . .”).

DATED this 29th day of January, 2007.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Tenia Campbell".

TENA CAMPBELL
United States District Judge